

REMARKS

Claims 1-2, 4, 6-12, 15-16 and 18-20 are now pending in the application. Claims 3 and 17 were withdrawn. Claims 5, 13-14 and 21-22 have been deleted. Claims 1, 6 and 15 have been amended. Support for the foregoing amendments may be found throughout the written description, drawings and claims, as originally filed.

Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102(b)

Claims 1, 4-6 and 12-14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Minowa et al. (US 5,383,997). Applicant amends claims 1 and 6 to overcome the rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (MPEP 2131)

Claim 1 as amended is not anticipated by Minowa because the Minowa reference does not include each and every element set forth in claim 1 as amended.

In the amended claimed invention, the trench has a top opening and a bottom opening, wherein the top opening is larger than the bottom opening. Moreover, at least one bugle is extended out from a sidewall of the bottom opening. Therefore, according to the trench structure in this invention, after a spacer falls into the trench, extended out sidewall bugle may limit the spacer in a special position. In other words, the trench structure may not only lead the spacer to fall into the trench but also limit the spacer in a special location.

In contrast to the foregoing claimed invention, the cited reference discloses to form orientation portion 26 to locate the chips. According to this cited reference, the orientation portion has a tapered inlet. There is no any bugle extended out from a sidewall of the orientation

portion 26. Although the examiner says that from the end of the tapered part of the bottom of the orientation portion 26 is a bugle, this bugle does not extend out from a sidewall. Therefore, it is not impossible for this bugle to limit the spacer in a special location as recited in the amended claim 1. In other words, the cited reference only may lead the spacer to fall into the orientation portion 26.

Moreover, according to the amended claims 1, the holder is a transparent substrate. However, the holder in the cited reference comprises elastic bodies and adhesive films.

Accordingly, applicant respectfully submits that independent claim 1 as amended is allowable over the art of record and respectfully requests the 35 U.S.C. § 102(b) rejection of claim 1 to be reconsidered and withdrawn. In addition, insofar claims 2, 4 and 6-12, which ultimately depend from claim 1, and add further limitations thereto, the 35 U.S.C. § 102(b) rejection of these claims should be withdrawn as well.

Reconsideration and withdrawal of this rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Minowa et al. (US 5,383,997) in view of Anker et al. (US 6391679). These rejections are respectfully traversed, particularly in view of the foregoing amendments to claim 15.

When resolving the issue of whether the “invention as a whole” would have been obvious under 35 U.S.C. § 103, consideration must be given not only to the subject matter which is literally recited in the claims, but also to those properties of the subject matter which are inherent in the subject matter and are disclosed in the specification. *See*, M.P.E.P. 2141.02; and *In re Antonie*, 559 F.2d 618 (C.C.P.A. 1977). Consequently, the bugle that is created in the trench of the present invention must be considered in the obviousness analysis.

The cited combination, however, does not teach or suggest the claimed invention. As stated above, the amended claim 15 goes against what Minowa discloses. Moreover, the Anker also does not disclose that a bugle extended out from a sidewall of the trench. Anker only teaches a carrier element that does not have orientation function. That is, even if combining, the two cited references do not teach the feature of claim 15.

Moreover, the cited reference, US20030207644, teaches sockets are patterned on the first substrate and at least two electrodes may be disposed on the first substrate. In other words, this cited reference also does not teach to form a special trench to arrange the spacer.

In view of the foregoing, Applicant respectfully submits that independent claim 15 is patentable over the cited references and in condition for allowance. Further, Applicant respectfully submits that dependent claims 16 and 18-20, which ultimately depend from claim 15, are likewise patentable and in condition for allowance. Withdrawal of the foregoing rejections under 35 U.S.C. § 103(a) is, therefore, respectfully requested. .

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP


Benjamin J. Hauptman
Registration No. 29,310

Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: February 28, 2006
BJH/jk